HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8113 OF 2006.

Mr. Shripad Sitaram Kher. ..Petitioner.

Versus.

Mrs. Supriya @ Shilpa S. Kher & Anr. ..Respondents.

Mr. Harihar Bhave i/b M/s. Bhave & Co., for the petitioner.

Mr. R. D. Suryawanshi for the respondent.

CORAM: S.B.MHASE,J.

DATE : OCTOBER 1, 2007.

P.C.

1. Heard. This petiton is directed against the order dated 15.7.2006 passed below Exhibit-13 in Hindu Marriage Petition No. 55 of 2004 by the Civil Judge Senior Division, Panvel.

2. The petitioner is husband while the respondent is wife. Aforesaid Hindu Marriage Petition being HMP No. 55 of 2004 has been filed by the petitioner for getting divorce. In the said proceeding the respondent-wife has filed an application under sections 24 & 26 of the Hindu Marriage Act for getting an interim alimony to respondent-herself and their daughter. Civil Judge, Senior Division, Panvel by the impunged order directed that the petitioner shall pay an amount of

Rs.10,000/- per month by way of interim alimony to the wife and Rs.6,000/- per mohth by way interim maintenance to the daughter. Thus, in all the monthly alimony directed by the said order is Rs.16,000/-. So far as the status of the parties is concerned the petitioner is an industrialist having a chemical factory. Learned counsel for the petitioner states that the petitioner is one of the partners in the said factory and it is a small scale industry. Let the fact as it is, the fact remains that the petitioner is running a business of industry. The attempt has been made to point out that the wife is running a health centre and therefore she is not dependent on her husband. However the husband has miserably failed to bring on record the income of the wife from the said source. This Court has gone through the impunged order and it appears that the trial Court has taken into consideration the status of the parties, the relations of the parties and standard of living of the parties and thereafter has passed the order considering the material on record. I am satisfied that the order has been properly passed. No interference at this level is required. It is hereby rejected.

(S.B.MHASE, J.)